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11 **UNITED STATES DISTRICT COURT**
12 **SOUTHERN DISTRICT OF CALIFORNIA**

13 MICHAEL FOX,

14 Plaintiff,

15 v.

16 GALVESTON POLICE DEPARTMENT,
17 "GALVESTON POLICE OFFICER
18 S. BREWER ID #378-OR-398, ANY AND
19 ALL OTHER POLICE OFFICERS AND
20 DETECTIVES, AND OTHER
21 EMPLOYEES OF THE GALVESTON
POLICE FORCE CURRENTLY NOT
KNOWN"

Defendants.

Case No. 07CV2388 DMS (POR)

**CITY OF GALVESTON POLICE
DEPARTMENT'S NOTICE OF
MOTION AND MOTION TO
DISMISS FOR LACK OF
PERSONAL JURISDICTION**

Date: July 18, 2008

Time: 1:30 p.m.

Ctrm: 10 (2nd Floor)

Judge: Hon. Dana M. Sabraw

Complaint Filed: December 20, 2007

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23 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

24 PLEASE TAKE NOTICE that on July 18, 2008 at 1:30 p.m., or as soon thereafter as this
25 matter may be heard in the United States District Court, Southern District, Courtroom 10, 2nd Floor,
26 before The Honorable Dana M. Sabraw, Defendant City of Galveston Police Department will move
27 the Court to dismiss Plaintiff's Complaint pursuant to Federal Rules of Civil Procedure,
28 Rule 12(b)(2).

1 Defendants' Motion is based on the fact that these Defendants are not subject to personal
2 jurisdiction in this Court nor have they consented to the jurisdiction of a California court.

3 This Motion will be based on this Notice of Motion and Motion, the Memorandum of Points
4 and Authorities and request for judicial notice the Court file and on all pleadings and evidence that
5 may be presented upon the hearing in this matter.

6 *Respectfully submitted,*

7 Dated: June 16, 2008

CHAMBERLAIN, HRDLICKA, WHITE, WILLIAMS &
MARTIN

8
9 AND

SULLIVAN, HILL, LEWIN, REZ & ENGEL
A Professional Law Corporation

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12 By: /s/ Donald G. Rez
13 Donald G. Rez
14 Attorneys for Defendant
15 City of Galveston
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